

DETAILED ACTION

Preliminary Amendment

1. Applicant's submission of a preliminary amendment on December 20, 2005 is noted. Claims 1-22 are currently pending. In the preliminary amendment, claims 4, 5, 7, 8, and 10-17 were amended.

Election/Restrictions

2. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-18, drawn to methods for detecting and separating DNA containing cytosine methylations from unmethylated DNA.

Group II, claim(s) 19, drawn to a method for introducing DNA damage at specific sites in unmethylated DNA.

Group III, claim 20, drawn to a method for inhibiting the replication of unmethylated DNA.

Group IV, claim 21, drawn to a method for inhibiting the transcription of unmethylated DNA.

Group V, claim 22, drawn to the use of oligonucleotides or peptide nucleic acids for the therapy of disorders associated with cytosine demethylation.

The inventions listed as Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The prior art of Agrawal et al. (US 2004/0156825 A1) teaches all of the limitations of the instant claim 22 (see paragraphs 6-10, 19, 28, and 29). Since the prior art of Agrawal teaches all of the limitations of the instant claim 22, the claims lack a special technical feature linking them over the prior art, and a lack of unity requirement is proper.

3. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA BERTAGNA whose telephone number is (571)272-8291. The examiner can normally be reached on M-F, 7:30 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on 571-272-0782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/CYNTHIA WILDER/
Patent Examiner, Art Unit 1637